

Issued May 13, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1328.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF CORN MEAL; ADULTERATION OF CORN MEAL.

On April 2 and 12, 1910, the United States Attorney for the Eastern District of North Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying condemnation and forfeiture of two lots of corn meal of 100 sacks each in the possession of J. T. Ginn & Co. and R. E. Pipkin, respectively, Goldsboro, N. C. The corn meal in the possession of J. T. Ginn & Co. bore no label. An examination by the Bureau of Chemistry of the United States Department of Agriculture of a sample taken from this consignment showed the meal to be decomposed and in a filthy and sour condition. The meal in the possession of R. E. Pipkin was labeled as follows: "Bolted 96 lbs. Petersburg Corn Milling Co., Manufacturers of White Pearl Meal Old Virginia Ground. D. B. Booth & Co., Proprietors, Petersburg, Va. White Pearl Meal." Examination by the Bureau of Chemistry of the United States Department of Agriculture of samples taken from this consignment showed it to be moldy. The libels alleged that the products, after shipment by D. B. Booth & Co., of Petersburg, Va., from the State of Virginia into the State of North Carolina, remained in the original unbroken packages, and that the product consigned to J. T. Ginn & Co. was adulterated, and that consigned to R. E. Pipkin was both adulterated and misbranded; and that said products were, therefore, liable to seizure for confiscation. Adulteration was charged against the product in the possession of J. T. Ginn & Co. for the reason that it was in a filthy, decomposed condition and unfit for consumption as human food. Adulteration was alleged against the product in the possession of R. E. Pipkin for the reason

that it was in a filthy, decomposed condition and unfit and unsuitable for consumption as human food. Misbranding was alleged against said product because the label represented the sacks to contain 96 pounds of the product, when, in fact, actual accurate weight of the same showed a shortage of approximately 3 per cent on the entire consignment.

On September 6, 1911, the causes coming on for hearing and no person having appeared as claimant, the court entered decrees finding the products adulterated and misbranded, as alleged in the libels, and condemning and forfeiting the same to the United States and ordering said products to be disposed of by the marshal at public or private sale to the best advantage.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 25, 1912.*

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